



Agricultural Land Preservation Program Howard County, Maryland



USES PERMITTED ON PRESERVATION PARCELS AND AGRICULTURAL PRESERVATION EASEMENTS

Purpose

This document provides *general* guidance about uses allowed on property subject to preservation easements in Howard County's rural west. See Howard County Zoning Regulations, Section 104, RC (Rural Conservation) District and Section 105, RR (Rural Residential) District for detailed description of uses and accessory uses permitted by right. See Section 128, Supplemental Regulations and Section 131, Conditional Uses, for additional criteria for such uses. Parcels that are subject to Howard County Agricultural Land Preservation Program easements, whether dedicated or purchased, have a few restrictions that exceed those for environmental preservation easements. Easements held by the Maryland Agricultural Land Preservation Foundation (MALPF) and Rural Legacy easements may have additional restrictions. Certain uses on agricultural easements require Agricultural Land Preservation Board approval.

	Dedicated Preservation Parcels		Purchased Easements
	Environ/Other	Agricultural	Agricultural
USES PERMITTED BY RIGHT - Zoning Ordinance, Sections 104 and 105.			
Farming (See Note 1)	Y	Y	Y
Conservation areas	Y	Y	Y
One single family detached dwelling (For Preservation Parcels, see Sections 104.F and 105.F)	Y, if Buildable Parcel	Y, if Buildable Parcel	Per Deed of Easement
Commercial feed mills and grain processing or storage if all associated uses are 200' from property line	RC only	RC only	RC only
Convents and monasteries for residential purposes	N	N	N
Private recreational facilities for use by homeowners' association	Y	N	N
Government facilities and uses, limited to parks, recreation facilities and public schools	Y	N (See Note 2)	N (See Note 2)
Public utility transmission lines not requiring a Conditional Use	Y	N	N
Volunteer fire departments	N	N (See Note 2)	N (See Note 2)
Bed and Breakfast Inns (See Note 3)	Y	Y	Y
USES PERMITTED BY RIGHT - Subject to supplemental regulations, Section 128.			
Nonprofit carnivals and fairs (Section 128.D.3)	N	N	N
Sales of Christmas trees and seasonal decorations (Section 128.D.4)	Y	Y	Y
Commercial communication antennas on structures (Section 128.E.4)	Y	Y	N (See Note 2)

	Dedicated Preservation Parcels		Purchased Easements
	Environ/Other	Agricultural	Agricultural
ACCESSORY USES PERMITTED BY RIGHT – Uses that are incidental to the principal use.			
Any use that is normally and customarily incidental to permitted by right uses	Y	Y	Y
Farm tenant house on parcels 50 acres or more, 1 house per 25 acres, under certain conditions.	Y, must be accessory to a principal dwelling	Y, must be accessory to a principal dwelling	Y, See Deed of Easement
Caretaker house on parcels 50 acres or more with a principal dwelling, 1 house per 50 acres, under certain conditions	Y	N	N
Accessory apartment	Y	Y	Y
Home care, boarders and/or housing of mentally or physically disabled persons with a resident family (See Note 4)	Y	Y	Y
Parking and/or storage of a limited number of commercial vehicles, recreational vehicles and boats	Y	Y	Y
The following commercial services on agricultural preservation easements of any size or on farms of 50 or more acres, conducted by a resident of the farm, screened from public roads and adjacent lots:			
Blacksmith shop	Y	Y	Y
Farm machine repair	Y	Y	Y
Lawn and garden equipment repair	Y	Y	Y
Welding	Y	Y	Y
ACCESSORY USES PERMITTED BY RIGHT - Uses that are incidental to the principal use, subject to the supplemental regulations, Section 128; a permit may be required.			
Home occupations (Section 128.C.1) (See Note 5)	Y	Y	Y
Farm produce stands (Section 128.J)	Y	Y	Y
Snowball stands (Section 128.D.5)	Y	Y	Y
Home-based contractors (Section 128.C.2) (See Note 5)	Y	Y	Y
Disposal of land clearing debris (Section 128.D.6)	Y	N	N
Value-added processing (Section 128.I)	Y	Y	Y
Agritourism, direct farm marketing and pick your own marketing of farm products (Section 128.J)	Y	Y	Y

	Dedicated Preservation Parcels		Purchased Easements
	Environ/Other	Agricultural	Agricultural
CONDITIONAL USES - Zoning Ordinance, Sections 104, 105 and 131.			
Agribusiness (See Section 131.N.2)			
Secondary agricultural processing other than grains	Y	Y	Y
Farm supply and machinery sales, storage and services	RC only	N	N
Fuel production as agricultural by-product	RC only	RC only	RC only
Bulk produce storage facilities other than grain	RC only	RC only	RC only
Livestock slaughtering	RC only	RC only	RC only
Country clubs	Y	See Note 6	See Note 6
Golf courses	Y	N	N
Farm tenant house on 25-50 acre preservation parcels	Y	Y	NA
Riding academies and stables	Y	Y	Y
Nonprofit institutions dedicated to environmental conservation	RR only	N	N
CONDITIONAL USES – Subject to specified size and other limitations (See Note 7).			
Animal hospitals	Y	Y	Y
Antique shops, art galleries and craft shops	Y	Y	Y
Beauty parlor/barber shop	Y	Y	Y
Boarding houses	Y	Y	Y
Cemeteries and mausoleums	See Note 8	See Note 8	See Note 8
Country Inns	Y	Y	Y
Day care centers	Y	Y	Y
Historic building uses	Y	Y	Y
Home-based contractors and home occupations (See Note 5)	Y	Y	Y
Kennels and pet grooming	Y	Y	Y
Landscape contractors	Y	Y	Y
Museums, art galleries and libraries	Y	Y	Y
Retreat centers	Y	Y	Y
Sawmills	Y	Y	Y
School bus parking and storage	Y	Y	Y
Two-family dwellings	Y	Y	Y

Notes

1. Farming. The use of land for agricultural purposes, including agriculture, apiaries, horticulture, orchards, agricultural nurseries, viticulture, aquaculture, silviculture, and animal and poultry husbandry. Farming includes basic processing of agricultural products as defined in this section (see “agricultural processing, primary”), but shall not include the acceptance or disposal of land clearing debris or rubble that originates offsite or the commercial feeding of garbage or offal to swine or other animals. The breeding, raising, training, boarding and general care of livestock for uses other than for food, such as sport or show purposes, as pets, or for recreation shall be considered a normal farming function, but kennels are excluded from this definition (Howard County Zoning Regulations, Definitions, Section 103.A.54).
2. Public Facilities. Not permitted except as release of 1 acre for public interest use per Section 15.516 of the Howard County Code.
3. Bed and Breakfast Inn. The building must be existing at the time that the easement was established and must be managed by persons residing on the same parcel or on a contiguous parcel that is under the same ownership and part of the same farm.
4. Home Care. A maximum of 8 persons. See Sections 104.C.4 and 105.C.5 for further limits on the number of persons within different categories. More are allowed subject to a Conditional Use per Section 131.N.9.
5. Home Occupations and Home-Based Contractors. If uses do not meet the criteria for accessory uses in Section 128.C.1 and 128.C.2, they may be allowed subject to a Conditional Use per Section 131.N.27 and 131.N.28.
6. Country Club. Uses are allowed only if they are farm-related and the country club activities, such as hayrides and picnics, are clearly accessory to the agricultural use of the easement.
7. Conditional Use Area Limitations. On preservation parcels, these uses must not require construction of a new structure, the outdoor area may not be more than 2% of the preservation parcel up to a maximum of 1 acre and the land must not be suitable for agriculture (Section 104.F.3.C and 105.F.3.C). In addition, on purchased easements, the area may not exceed ¼ acre (ALPP Policy).
8. Cemetery. Uses are appropriate only in the case of small family plots but not for commercial cemeteries, mausoleums or crematoriums.
9. Conditional Uses Not Permitted. The following Conditional Uses allowed in the RC and/or RR **will not be allowed** on dedicated preservation parcels or purchased agricultural easements:

Age-restricted adult housing	Quarries
Aircraft landing and storage areas	Retail greenhouses and retail nurseries
Athletic facilities; outdoor fields, swim clubs, tennis clubs	Rubble and land clearing debris landfill
Bottling of spring or well water	Sawmills and mulch manufacture
Charitable or philanthropic institutions	Schools (private), colleges and universities
Funeral homes and mortuaries	Shooting ranges
Nursing homes and residential care facilities	Structures for religious activities
Nonprofit clubs, lodges, community halls and camps	Yard waste composting facilities
Public utility uses (substations and communication towers)	

For More Information

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